

Ms. Laurie Allen
Acting Director, Office of Protected Resources
National Marine Fisheries Service - 13th floor
1315 East-West Highway
Silver Spring, MD 20910

Dear Ms. Allen:

The Office of Pesticide Programs (OPP), US Environmental Protection Agency (EPA) respectfully requests the initiation of Endangered Species Act (ESA) section 7(a)(2) consultation. This consultation request addresses 13 Evolutionarily Significant Units (ESU's) of Pacific salmon and steelhead that have been listed as Federally endangered or threatened, and one pesticide active ingredient registered by EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), for uses within the range of the listed ESUs. The pesticide active ingredient subject to this request is *phosmet* which is an organophosphate pesticide registered for control of insects on a variety of crops (primarily fruits and nuts), and for direct animal treatments to control pests on cattle, swine, and dogs. Our long-term intent is to make effects determinations and consult, as appropriate, relative to all listed species and locations. However, as per agreement with the National Marine Fisheries service, this request is limited to Pacific salmon and steelhead for which NMFS has responsibility.

Phosmet has moderate to very high toxicity to fish and aquatic invertebrates in laboratory tests. However, based on the best available data on usage, environmental fate characteristics, the habitat for the individual ESU's and other information, OPP has determined that some phosmet uses may affect but are not likely to adversely affect 13 of 26 listed Pacific salmon and steelhead; and phosmet use will have no effect on the remaining 13 ESUs.

A summary table at the back of the attached analysis indicates the specific determinations made for each of the 26 ESUs. I am requesting your concurrence, under the information consultation process, on OPP's determination that the registered use of phosmet is not likely to adversely affect the following listed Pacific salmon and steelhead ESU's: Upper Columbia river, Snake river basin, upper Willamette river, lower Columbia river, and middle Columbia river Steelhead; Snake river fall-run, Snake river spring/summer run, Puget sound, lower Columbia, upper Willamette, and upper Columbia Chinook; Southern Oregon/Northern California Coho; and the Columbia river Chum. We are not requesting consultation on the remaining 13 since we have determined that phosmet use will have no effect on those ESUs.

OPP is working toward a final endangered species program which is expected to be final within the next several months. We are developing county-specific bulletins to address pesticide use and endangered and threatened species. It is through such bulletins, and pesticide product label reference to them, that OPP intends to implement and enforce protections for listed species, including any necessary protections for listed salmon and steelhead.

I look forward to working with NMFS to protect and help recover listed species. If you have any questions, please feel free to contact me on (703) 305-5239, or your technical staff may contact my Senior Scientist, Dr. Larry Turner at (703) 305-5007.

enclosures

Sincerely,

Arthur-Jean B. Williams, Chief
Environmental Field Branch
Field and External Affairs Division (7506C)

cc: Craig Johnson